

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

New York Republican Federal Campaign Committee)
and Louis B. Stone, as treasurer, *et al.*)

MUR 4648

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FEDERAL ELECTION
COMMISSION
SECRETARIAT

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SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter arose from a referral from the U.S. Attorney's Office in Albany, New York concerning potential reporting violations by the New York Republican Federal Campaign Committee ("the Committee") on its 1994 30-Day Post-General Report. The referral noted that the report contained incorrect information regarding the disbursement of \$50,000 on November 7, 1994, the day before the 1994 general election. The referral cited four entries of disbursements on the Post-General Report's Joint Federal/Non-Federal Activity Schedule, the Schedule H4, to individuals living in the Albany, New York area. Specifically, these reported disbursements were of \$15,000 each to Jeffrey T. Buley and David R. Dudley, and of \$10,000 each to Mary F. Obwald and Gregory V. Serio. The purpose indicated for each disbursement was "election day expenses," and the category checked for each was "ADMINISTRATIVE/VOTER DRIVE." The referral pointed out that the use of the phrase "election day expenses" does not meet the reporting requirements of 11 C.F.R. § 104.3(b)(3)(i)(B). The referral suggested that apparent violations went beyond the failure to properly report the purpose of the disbursements, and that the identities of the recipients might not have been properly reported as well.

In addition to the four disbursements mentioned in the referral, the Committee's 1994 30-Day Post-General Report showed on the Schedule H-4 disbursements of \$5,000 each on

November 5 and 9, 1994 to Luther Mook of Brooklyn New York, who was chairman of the New York Republican Asian Committee, and to the Kings County Republican Committee ("KCRC"), respectively, for which the stated purpose was "election day expenses." On April 24, 1995, in response to a communication from the Reports Analysis Division ("RAD"), the Committee filed an amendment to its 1994 30-Day Post-General report changing the purpose of the 1994 expenditures here at issue to "GOTV - Travel Expense Reimbursement and Catering Costs."

On February 12, 1997, this Office received a memorandum from RAD seeking review of a Request for Additional Information ("RFAI") to be sent to the Committee regarding the Committee's 1996 30-Day Post-General Report. One of the issues addressed in the RFAI was the Committee's use of the phrase "election day expenses" to describe the purpose of disbursements to eight individuals totaling \$22,500 in the days just prior to the 1996 general election.

Based upon the information then available and the Commission's approach in MUR 3974, on June 17, 1997, the Commission found reason to believe the Committee, during the 1994 election cycle, violated 2 U.S.C. § 432(h)(1) by failing to make certain disbursements by check drawn on an account at a qualified campaign depository; and violated 2 U.S.C. § 434(b)(5)(A), (6)(B)(i), (6)(B)(v), and 11 C.F.R. § 104.3(b)(3)(i), (viii), (ix), by failing to report the proper identities of recipients, and the proper purpose, of disbursements of \$200 or more.¹ Further, the Commission found reason to believe that the Committee, during the 1996

¹ In MUR 3974, the Rangel for Congress Committee issued signed checks to Congressman Charles Rangel which had been made out to cash. Congressman Rangel then negotiated the checks and turned the cash over to his campaign manager, who then distributed this cash in unknown amounts to unknown persons. The checks issued to Congressman Rangel had been reported as unitemized disbursements. No records of the disbursements were maintained. On this set of facts, the Commission found probable cause to believe that the Rangel for Congress Committee failed to properly report the identities of recipients of disbursements, failed to maintain records of disbursements, and made disbursements, which should have been made by check, in cash.

election cycle, knowingly and willfully violated 2 U.S.C. § 434(b)(5)(A), (6)(B)(i), (6)(B)(v), and 11 C.F.R. § 104.3(b)(3)(i), (viii), (ix), by improperly reporting the purpose of certain disbursements as "election day expenses." In addition, the Commission found reason to believe that David R. Dudley, Mary F. Obwald, Gregory V. Serio, Luther Mook and Jeffrey T. Buley, violated 2 U.S.C. § 432(h)(1), as it appeared at that time that these individuals had taken the money reported as given to them, and had each personally distributed it to many others in the form of cash. These latter findings were consistent with findings in earlier MURs that individuals other than the treasurer of a committee had violated this section by distributing cash over \$100 on behalf of a committee.

Also on June 17, 1997, the Commission found reason to believe that the KCRC and its treasurer violated 2 U.S.C. §§ 433(a), 434(a)(1) and 441b(a); that Dorn & Associates, P.C., a law firm apparently associated with the KCRC, violated 2 U.S.C. § 441b(a); and that the Committee violated 2 U.S.C. § 441b(a). The premise for these findings revolved around the report by the Committee that it had issued a check to the KCRC for election day expenses the day after the 1994 general election. It thus appeared that the KCRC, an organization not registered with the Commission, advanced money on behalf of the Committee, and that this money might have contained impermissible funds, including funds from Dorn & Associates. The Commission also approved Subpoenas to Produce Documents and Orders to Submit Written Answers to be sent to all Respondents.

Information produced pursuant to these Subpoenas and Orders and in a joint response to the reason to believe findings provided greater detail regarding the trail the money followed. According to the information supplied, the checks were drawn on a Committee allocation

account. After receiving their checks on November 7, 1994, Messrs. Dudley, Serio and Buley and Ms. Obwald proceeded together to an Albany bank and cashed them. After cashing their checks, Messrs. Dudley and Serio, and Ms. Obwald, did not then take the cash and distribute it to many others, but immediately turned their cash over to Jeffrey Buley. Mr. Buley took the \$50,000 in cash and drove to New York City where, according to him, "[t]o the best of my knowledge and belief, and pursuant to my directions, all the money was disbursed to the approximately 10,000 volunteers." (Buley Affidavit at 6). Luther Mook cashed his check in New York City and distributed his \$5,000 separately to other volunteers. Arthur Bramwell negotiated the check issued to the KCRC and appears to have distributed that \$5,000 separately as well. Further, the evidence shows that the check to the KCRC was actually issued prior to the general election, despite having been reported as issued the day after that election.

The checks involved in the 1996 disbursements were handled slightly differently. Then, checks totaling \$22,500 and dated October 31 and November 1, 1996 were made out to eight individuals, including Jeffrey Buley and William Powers, Chairman of the New York State Republican Party, in amounts of either \$2,500 or \$3,000. Mr. Buley himself signed the checks on behalf of the Committee. The individuals other than Mr. Buley endorsed their checks and returned them to him. Mr. Buley then cashed the checks at a Schenectady bank and proceeded to New York City with the \$22,500 in cash. According to Mr. Buley, he "directed that all the money be disbursed to the approximately 8,000 volunteers and that no volunteer receive more than \$99 from [the Committee] for his or her participation in the election day program." (Buley Affidavit at 7).

According to the joint response, all of the money involved in 1994 and 1996 was used to cover the expenses of poll watchers on election day for "food, transportation, and in some cases, baby-sitting." Jeffrey Buley had assertedly concluded that "the best system for disbursing the funds to the volunteers was to have checks cut by [the Committee] to a number of individuals." (Buley Affidavit at 5). The reasoning behind this conclusion was not explained. The joint response contained the conclusory statement that "all disbursements that should have been reported were reported. All disbursements that were a part of this program that were greater than \$200 were reported by the Party, and the public and Commission received all the information required by the Act and the regulations."

Information obtained pursuant to the Commission's Subpoenas and Orders also demonstrated that the Committee issued the check to the KCRC prior to the 1994 general election. Thus, it no longer appeared that the KCRC advanced funds on behalf of the Committee. As a result, the Commission, on December 8, 1997, determined to take no further action against the KCRC and Dorn & Associates, and closed the file as to these respondents. The Commission found reason to believe that Arthur Bramwell, the Chairman of the KCRC, violated 2 U.S.C. § 432(h)(1) by distributing cash in amounts over \$100 on behalf of the Committee.

The Committee was also informed at that time that the available evidence suggested that the Committee had committed additional violations of 2 U.S.C. § 434(b)(5)(A) and 11 C.F.R. § 104.3(b)(3)(i) during the 1994 and 1996 election cycles by failing to report the correct date of the \$5,000 disbursement to the KCRC and by failing to report the identities of intermediaries who were the last recipients of disbursements of over \$200. In addition, certain other findings

with respect to 1994 activity appeared to apply to 1996 activity as well. Specifically, with respect to 1994 activity the Commission had found reason to believe that the Committee violated 2 U.S.C. § 432(h)(1) by making cash disbursements in excess of \$100. As noted above, the evidence obtained during the investigation suggested that during the 1996 cycle Jeffrey Buley also passed along cash for the Committee in amounts of \$200 or more. Thus, the Committee was informed, it also appeared that the Committee violated 2 U.S.C. § 432(h)(1) during the 1996 election cycle.

Further, Mr. Buley's lack of specificity regarding the disposition of the cash that he brought to New York City raised additional questions. Accordingly, an Order to Submit Written Answers and a Subpoena for Deposition were authorized for him. The Order sought answers to questions regarding the identities of all persons to whom Mr. Buley disbursed any portion of the funds he collected in 1994 and 1996, as well as the identities of any other persons who may have received these funds.

Mr. Buley's response to these questions was that, on both occasions, he turned over all of the cash to William Powers in New York City on the day before the general election. Mr. Buley further stated that he had no knowledge as to whom the money was subsequently given.² As a result of receiving this information the Commission, on February 18, 1998, found reason to believe that William D. Powers violated 2 U.S.C. § 432(h)(1). At that time, the Commission approved an Order to Submit Written Answers for Mr. Powers as well as a Subpoena for Deposition.

² This despite his earlier statements that he was placed in charge of the poll-watcher program and that, to the best of his knowledge the money was distributed to the volunteers. If Mr. Buley was in charge of the program, it seems highly unlikely that he would not have known to whom Mr. Powers was to distribute the cash.

On March 4, 1998, this Office conducted a deposition of Jeffrey T. Buley. On direct questioning, Mr. Buley stated that the Committee issued multiple checks in both 1994 and 1996 at the suggestion of the banks involved in the respective transactions. According to Mr. Buley, the banks gave no specific reasons for operating in this manner; they just recommended that he use a series of individuals. As for these individuals, whose identities were reported on the Schedules H-4, Mr. Buley testified that they were people who happened to be at State Headquarters on the days when the checks were cut. (Buley Deposition at 18-19, 37).³

Mr. Buley was further questioned regarding his contact with the banks. He could not recall to whom he had talked at either bank, either by name or by position, and he had no documents memorializing these conversations. Mr. Buley was also unsure about when these conversations had taken place in relation to cutting the checks. He originally stated that these conversations would have occurred within two days of cutting the checks. When it was pointed out to him that election day was on a Tuesday and the checks were cashed on Monday, he revised his answer and stated that it could have been more than two days, that the conversations may have occurred on Fridays "or even" Thursdays. (Buley Deposition at 18-19).

Mr. Buley was also asked about the claim in his affidavit that he had cleared the reporting of the initial payees with staff of the Commission. Mr. Buley stated he had talked to staff in either RAD or the Information Office regarding the use of the phrase "election day expenses"

³ As of this writing, neither Mr. Buley nor William Powers, whose deposition was also taken, see *infra*, has reviewed his deposition transcript for accuracy and signed it. Opportunities to read and sign transcripts were originally provided in May 1998, but were turned down by Messrs. Buley and Powers. Subsequently, in late September/early October of 1998, counsel for Messrs. Buley and Powers contacted this Office to state that his clients wished to read their transcripts and make any appropriate corrections. Arrangements were made in early October, but Messrs. Buley and Powers have cited the press of business surrounding the 1998 general elections as their reason for not attending to this task. On December 15, 1998, the reporting service outside Albany asked to oversee the reading and signing unilaterally returned the unread deposition transcripts, citing a desire to be free of responsibility for the transcripts.

and that together they determined that "GOTV - Travel Expenses Reimbursement and Catering Costs" would be appropriate. He further stated that the issue of reporting the payees of the checks was discussed directly, "[b]ecause that is actually what was at direct issue. Like the checks to myself. Yes. This was '94. To Serio and Dudley. These were directly at issue."

Mr. Buley was, however, unable to identify the person to whom he talked, and stated that he had no notes from this conversation. (Buley Deposition at 33-35). No Commission personnel have any record or recollection of any discussion in which Mr. Buley was told that he was correctly reporting the identities of the recipients of these disbursements.

Neither of the banks which Mr. Buley claims to have consulted has corroborated his claim that he acted as he did because the banks told him to do so. In response to a Commission inquiry questioning such an arrangement, Key Bank responded that "[t]here is no bank policy indicating the above." Trustco Bank has stated that "with respect to withdrawals of \$20,000 or more, Trustco Bank has no policy regarding the manner in which an account holder withdraws its money." Indeed, the Committee's claim is inconsistent with the Committee's statement, made in response to the reason to believe findings, that Mr. Buley had concluded that "the best system for disbursing the funds to the volunteers was to have checks cut by [the Committee] to a number of individuals." The use of several checks had nothing to do with effectively disbursing the money, as the proceeds from the checks were returned to one person for later distribution. Instead, it appears that the use of several checks was meant to disguise the persons to whom, and the geographic location in which, the money was distributed.

Mr. Buley was also asked about the Committee's practices during the 1993 mayoral elections in New York City, the first year the Committee's poll-watcher program was put into

effect and an election which was solely local. Mr. Buley stated that that election required more poll watchers and money than in 1994 and 1996. He further stated that the method for obtaining money in 1993, as compared to 1994 and 1996, was "[t]he same. It was virtually -- I can't say it was identical. It was virtually the same and conceptually similar to this program, except that it was reported out of our state account, non-federal account." Mr. Buley stated that he obtained the cash, brought it to New York City, and gave it to Mr. Powers. (Buley Deposition at 49-52).

Thus, Mr. Buley has suggested that the method of obtaining cash for the poll-watchers through large checks made payable to Committee personnel was initiated at a time when there were no federal elections, and that one year later, when federal elections did occur, this method was an established procedure. However, information obtained in the course of the investigation in this matter does not support this claim.

First, contemporaneous news reports described the 1993 poll-watcher efforts. A December 6, 1993 newspaper article notes that the New York State Republican Committee, as a part of its "Victory '93" program, paid out \$65,000 "for election day activities - much of it to hire black and Latino poll watchers to work in minority neighborhoods." William Bunch, *Ballot Bedfellows; 'Street money' can paper way to City Hall*, NEWSDAY, December 6, 1993 at 3. The article goes on to describe specific payments by the New York State Republican Committee to groups such as the New Era Political Action Committee and the Central Brooklyn Republican Club. *Id.* The State Committee's reports filed with the New York State Board of Elections itemize disbursements to these and other entities. Likewise, the Committee's bank statements for its Victory '93 account show checks cashed which correspond to the amounts reported as being paid to these entities. Thus, it appears that straw men used to obtain the cash for the pollwatchers were not a factor until 1994 Federal elections were taking place.

Regarding the actual practice of distributing the cash in 1994, Mr. Powers was unable during his deposition to clarify the identities of the persons to whom he distributed the cash, or the amounts of the distributions. According to Mr. Powers, "dozens" of individuals showed up at party headquarters in New York City to pick up cash,⁴ and the cash was distributed in amounts up to a "couple of thousand" dollars.⁵ Mr. Powers further stated that no record was kept of the people to whom he gave money, that he had no list of people he expected to come and pick up money, and that he knew what to give people by asking them what they needed. There was no accounting of who received what amount. No log was kept of visitors to the building, and no receipts were obtained from people to whom Mr. Powers gave cash. (Powers Deposition at 14-16).

With regard to similar questions concerning the distribution of cash for poll watchers for the 1996 general election, Mr. Powers' answers were virtually identical.

II. DISCUSSION

A. Original Bases for Reason to Believe Findings

The Commission originally found reason to believe that the Committee had violated the reporting requirements of the Act and the Commission's regulations, based on the theory that the Committee had failed to properly report the recipients of, and purposes for, disbursements of

⁴ Mr. Powers could not recall whether the headquarters to which he was referring was the Party's own headquarters building in New York City, or the hotel rooms which were serving as the Party's operational headquarters for the election day activity.

⁵ This despite the Committee's earlier claim that "[a]ll disbursements that were a part of this program that were greater than \$200 were reported by the Party."

\$200 or more in 1994, and that the Committee had knowingly and willfully failed to report appropriately the purpose of disbursements in 1996. The Commission found reason to believe that the Committee violated three different, alternative subsections of 2 U.S.C. § 434(b) and 11 C.F.R. § 104.3(b) because it was unclear as to how the money involved had actually been disbursed. It is still unclear.

B. New Recommendations Regarding Violations

Two of the central issues in this matter are the failures of the Committee to properly keep records of, and report the identities of, recipients of disbursements in 1994 and 1996, and to properly report the purpose of disbursements in 1996. As noted above, the Commission has already found reason to believe the Committee violated 2 U.S.C. § 434(b) and 11 C.F.R. § 104.3(b), by failing to itemize disbursements of \$200 or more, and knowingly and willfully violated 2 U.S.C. § 434(b), and 11 C.F.R. § 104.3(b), by improperly reporting the purposes for disbursements. Based on the investigation, this Office now believes the Committee's actions in both 1994 and 1996 constituted knowing and willful violations of the law, and that this knowing and willful aspect should be addressed in any conciliation with the Committee.

The Commission's standard for determining whether a violation is knowing and willful requires evidence that a respondent acted contrary to the law with an active awareness that he was violating the law. *See, e.g., National Right to Work Committee v. Federal Election Commission*, 716 F.2d 97, 101 (D.C. Cir. 1983).

As is noted above, although Mr. Buley claimed otherwise, the New York Republican Party's 1993 pollwatcher effort involved a number of checks made out to various groups and individuals, who apparently subsequently disbursed the funds. These facts are evidenced by the Party's bank records, which show the checks that were issued; by the Party's New York State

disclosure reports, which show the amounts of these disbursements and the persons and organizations to whom they were made; and newspaper articles, produced by the Committee, which describe the pollwatcher effort.

By contrast, what occurred with respect to the 1994 and 1996 disbursements was far different. First, checks were issued to individuals chosen that day to receive them because they happened to be present at the Committee's headquarters in Albany. These individuals either cashed the checks themselves and immediately turned the cash over to Mr. Buley or endorsed the checks over to Mr. Buley, who then cashed them. These individuals were then finished with their "involvement", and the money was brought the 150 miles from Albany to New York City and distributed. And yet, the Committee reported as recipients the individuals in Albany to whom checks had been issued, with the vague purpose "election day expenses."

There are two conclusions to be drawn by comparing these sets of circumstances. First, the Committee engaged in this circuitous routine to create an appearance that certain disbursements occurred and to hide the facts of the true disbursements. Second, given the initial duplicity, for the Committee's claim that the funds were used to reimburse pollwatchers to be believed, something more convincing than the statements of Messrs. Buley and Powers is required. The Committee has provided absolutely no evidence to support these claims. No records of receipts or of amounts given to each person were maintained. Thus, there is no evidence that the funds were used for operating expenses which should have been reported pursuant to 2 U.S.C. § 434(b)(5)(A) and 11 C.F.R. § 104.3(b)(3)(i), or as coordinated party expenditures which should have been reported pursuant to 2 U.S.C. § 434(b)(6)(B)(iv) and 11 C.F.R. § 104.3(b)(3)(viii). At the least, however, the distributions of the funds should have been reported pursuant to 2 U.S.C. § 434(b)(6)(B)(v) and 11 C.F.R. § 104.3(b)(3)(ix), as

disbursements not otherwise disclosed. And certainly, given the communications between the Committee and Commission staff which occurred after the filing of the 1994 30-Day Post-General Report, there was absolutely no reason for the Committee to have improperly reported the purpose of the disbursements on the 1996 30-Day Post-General Report. Respondents have argued that the money was ultimately disbursed as petty cash as permitted by 2 U.S.C. § 433(h)(2), and thus no greater reporting obligation was required. The Commission, however, previously rejected this same argument in MUR 3974.

Luther Mook has stated in his sworn answers to interrogatories that he disbursed the \$5,000 he received to 55 persons, and that no portion of the \$5,000 was disbursed in an amount over \$100.

Arthur Bramwell has stated that he used the \$5,000 provided to the KCRC to, in part, buy food to feed "at least 200 people," although he further states that he did not give "any individual \$100 or more." It appears, therefore, that at least some of the money given to Arthur Bramwell was disbursed in amounts over \$200 to vendors, although it cannot be reliably determined how much.

Even if the \$5,000 payments to Bramwell and Mook are set aside, it still appears that the Committee has knowingly and willfully committed reporting violations with respect to at least \$72,500 of the \$82,500 in Committee disbursements involved in this matter, by not identifying all recipients of payments in excess of \$200.

Further, somewhere along each of the chains of distribution, there was one last transfer of cash to an intermediary of more than \$100. In these instances, checks drawn on Committee accounts at designated depositories should have been used rather than cash. The Committee's use of cash, however, can only be viewed as a necessary step in ensuring that its true plan

remained secret. Given this consideration, and as a result of its use of cash to make disbursements in excess of \$100, the Committee knowingly and willfully violated 2 U.S.C. § 432(h)(1).

Pursuant to 2 U.S.C. § 432(c)(5) and 11 C.F.R. § 102.9(b)(1), (2), the Committee was also under an obligation to keep an account of the name and address of every person to whom it made a disbursement, along with the date, amount, and purpose of the disbursement, including a receipt, invoice, or canceled check for each disbursement in excess of \$200. The Commission has not previously found reason to believe that the Committee committed record-keeping violations, but, as the testimonies of Jeffrey Buley and William Powers make clear, no records were kept of the disbursements in this matter; also it appears that the identities of the individuals who ultimately received the \$82,500 will never be known, and that the public record will never be made complete. This appears to be part of the Committee's effort to disguise its true efforts in 1994 and 1996. Accordingly, this Office recommends that the Commission find reason to believe that the New York Republican Federal Campaign Committee and Louis B. Stone, as treasurer, knowingly and willfully violated 2 U.S.C. § 432(c)(5) and 11 C.F.R. § 102.9(b)(1), (2). In addition, as the Commission has already found, the Committee knowingly and willfully reported an improper purpose for disbursements totaling \$22,500 in 1996.

The Commission has resolved its earlier findings against the KCRC and Dorn and Associates regarding its findings of reason to believe they violated 2 U.S.C. § 441b(a); however, the Commission has not yet resolved this issue as it pertains to the Committee. Accordingly, this Office recommends that the Commission take no further action against the New York Republican Federal Campaign Committee and Louis B. Stone, as treasurer, with respect to the violation of 2 U.S.C. § 441b(a).

Also, with regard to the findings against individuals for violating 2 U.S.C. § 432(h)(1), as noted *supra* it was originally supposed that the individuals had taken cash from checks given to them, and had personally distributed that cash to many others. As has been demonstrated, however, David Dudley, Gregory Serio and Mary Obwald did not subsequently distribute the cash, but instead immediately turned over all of their cash to Jeffrey Buley. In addition, Mr. Buley has stated that the only reason these three persons were involved was because they were present at party headquarters at the time that the checks were drawn. Thus, it does not seem appropriate to pursue them any further. In addition, Luther Mook's affidavit suggests that he did not inappropriately disburse cash in amounts in excess of \$100, and thus it also does not seem appropriate to pursue him any further. Accordingly, this Office recommends that the Commission take no further action against David Dudley, Gregory Serio, Mary Obwald and Luther Mook with respect to violation of 2 U.S.C. § 432(h)(1), and that it close the file as to these individuals.

C. Conciliation


III. RECOMMENDATIONS

1. Find reason to believe that the New York Republican Federal Campaign Committee and Louis B. Stone, as treasurer, knowingly and willfully violated 2 U.S.C. § 432(c)(5) and 11 C.F.R. § 102.9(b)(1), (2).
2. Take no further action against the New York Republican Federal Campaign Committee and Louis B. Stone, as treasurer, with respect to the violation of 2 U.S.C. § 441b(a).
3. Take no further action against David Dudley, Gregory Serio, Mary Obwald and Luther Mook with respect to violations of 2 U.S.C. § 432(h)(1), and close the file as to these individuals.

4. Offer to enter into conciliation with the New York Republican Federal Campaign Committee and Louis B. Stone, as treasurer, William D. Powers, Jeffrey T. Buley, and Arthur Bramwell, prior to findings of probable cause to believe, and approve the attached conciliation agreement and the appropriate letters.

Lawrence M. Noble
General Counsel

2/12/99
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments:

1. Draft Conciliation Agreement

Staff Assigned: Tony Buckley



FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/LISA R. DAVIS
COMMISSION SECRETARY

DATE: FEBRUARY 19, 1999

SUBJECT: MUR 4648 - General Counsel's Report
dated February 16, 1999.

A handwritten signature, possibly "JLD", is enclosed in a circle to the right of the "FROM" line.

The above-captioned document was circulated to the Commission
on Tuesday, February 16, 1999.

Objection(s) have been received from the Commissioner(s) as
indicated by the name(s) checked below:

Commissioner Elliott	<u>XXX</u>
Commissioner Mason	—
Commissioner McDonald	<u>XXX</u>
Commissioner Sandstrom	<u>XXX</u>
Commissioner Thomas	<u>XXX</u>
Commissioner Wold	—

This matter will be placed on the meeting agenda for
Tuesday, February 23, 1999.

Please notify us who will represent your Division before the Commission on this
matter.



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: LARRY M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/VENESHE FEREBEE-VINES
COMMISSION SECRETARY V7V

DATE: February 19, 1999

SUBJECT: MUR 4648 - General Counsel's Report
dated February 12, 1999.

Attached is a copy of Commissioner Elliott's vote sheet with comments regarding the above-captioned matter.

Attachment:
Copy of Vote Sheet



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SECRETARIAT
FEDERAL ELECTION COMMISSION
Washington, DC 20463

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SENSITIVE

DATE & TIME OF TRANSMITTAL: Tuesday, February 16, 1999 4:00

BALLOT DEADLINE: Friday, February 19, 1999 4:00

COMMISSIONER: ELLIOTT, MASON, McDONALD, SANDSTROM, THOMAS, WOLD

SUBJECT: **MUR 4648 - General Counsel's Report
dated February 12, 1999.**

() I approve the recommendation(s)

(X) I object to the recommendation(s)

COMMENTS: For discussion

DATE: 2-18-99

SIGNATURE: Lee Ann Elliott

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the Commission Secretary. Please return ballot no later than date and time shown above.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION




FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/LISA R. DAVIS 

DATE: FEBRUARY 19, 1999

SUBJECT: MUR 4648 - GENERAL COUNSEL'S REPORT

Attached is a copy of Commissioner McDonald's
vote sheet with comments regarding the above-captioned matter.

Attachment:
Copy of Vote Sheet



FEDERAL ELECTION COMMISSION

Washington, DC 20463

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SENSITIVE

DATE & TIME OF TRANSMITTAL: Tuesday, February 16, 1999 4:00

BALLOT DEADLINE: Friday, February 19, 1999 4:00

COMMISSIONER: ELLIOTT, MASON, McDONALD, SANDSTROM, THOMAS, WOLD

SUBJECT: **MUR 4648 - General Counsel's Report
dated February 12, 1999.**

() I approve the recommendation(s)

(☒) I object to the recommendation(s)

COMMENTS: For discussion purposes.

DATE: 2-19-99

SIGNATURE: Danny L. McDonald

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the Commission Secretary. Please return ballot no later than date and time shown above.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION